

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

BILLY M. SMITH,

Plaintiff,

:

Case No. 3:10-cv-448

-vs-

District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

:

MONTGOMERY COUNTY
SHERIFF'S OFFICE, et al.,

Defendants.

ORDER

This case is before the Court on Motion of Defendants Detective Doug Kowalski, Montgomery County Sheriff's Office, Lieutenant Michael L. Hild, Jr., Detective Paul D. Henson, and Detective Steven Gardiner for Exemption from the Court's Order for Discovery Conference (Doc. No. 45).

As the Defendants correctly point out, they are exempt from the initial disclosure requirements of Fed. R. Civ. P. 26(a) because Plaintiff is a person described in Fed. R. Civ. P. 26(a)(1)(B)(iv). Accordingly, all parties are excused from participating in a discovery planning conference under Fed. R. Civ. P. 26(f). Instead, any party may submit to the Court in writing a proposed schedule for the events to be held in the case (e.g., deadlines for amendment of pleadings, discovery cut-off, summary judgment motions, and trial).

July 25, 2011.

s/ **Michael R. Merz**
United States Magistrate Judge